

JUNE 5, 2000

Petitions to Intervene were filed by the Consumer Advocate for the State of South Carolina (the Consumer Advocate), AT&T Communications of the Southern States, Inc.

(AT&T), MCI WorldCom (MCI), the Department of Defense/Federal Agencies (the Department), the South Carolina Public Communications Association (SCPCA), TriVergent Communications (TriVergent), and the Southeastern Competitive Carriers Association (SCCA).

Accordingly, a hearing was held on March 14, 2000 at 2:30 PM in the Commission's hearing room, with the Honorable Philip T. Bradley, Chairman, presiding. BellSouth was represented by Caroline N. Watson, Esq., William F. Austin, Esq., and Douglas Lackey, Esq. BellSouth presented the direct and rebuttal testimony of Alphonso J. Varner. The Consumer Advocate was represented by Elliott F. Elam, Jr., Esq. The Consumer Advocate presented the testimony of Allen G. Buckalew. AT&T was represented by Francis P. Mood, Esq. AT&T presented no witnesses. MCI was represented by Darra W. Cothran, Esq., Janet Butcher, Esq., and Ken Woods, Esq. MCI presented the testimony of Greg Darnell. The Department of Defense/Federal Agencies was represented by Charles Schultz, Esq., and Terrance A. Spann, Esq. The Department presented no witnesses. SCPCA was represented by John F. Beach, Esq. SCPCA tendered the stipulated written testimony of Walter Rice, but it was rejected, since Rice was not present. TriVergent was represented by John J. Pringle, Esquire. TriVergent presented the testimony of John Lummus, who adopted the written testimony of Hamilton E. Russell, III. SCCA was represented by Frank R. Ellerbe, III, Esq. SCCA presented no witnesses. The Commission Staff (the Staff) was represented by F. David Butler, General Counsel. The Staff presented the testimony of Gary E. Walsh.

After hearing the testimony and receiving proposed Orders in the case, we find that the matter of the guidelines still requires further consideration by us. We therefore carry over the matter until further notice.

However, we note that the testimony of Staff witness Gary Walsh recommends that the Commission institute a generic Docket or rulemaking to consider requiring all telecommunications carriers under the Commission's jurisdiction to file annual financial data on an intrastate basis. Walsh asserts that, if collected, this data would assist this Commission in evaluating the effectiveness of the various forms of alternative regulation currently in effect. We agree with Walsh that such a generic Docket or rulemaking should be instituted, and hold that a separate Docket shall be established on this subject, which will give all interested parties an opportunity to intervene and participate in the proceeding after proper notice. This proceeding and/or rulemaking shall be held after the Commission has issued its final order in the upcoming Universal Service Fund proceeding set for July 17, 2000. We will then make our decision as to whether or not to require filing of the data, based upon the evidence elicited at the proceeding.

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This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)